

REMARKS/ARGUMENTS

Claims 2-8, and 12-21 are pending in the application as set forth in the Amendment E filed September 22, 2005.

In this amendment, Claims 3, 6, 8, 15, 16, 17, 18, 19, and 21 have been amended.

Claims 14 and 22 have been canceled without prejudice to the filing of a continuation with respect thereto.

Claims 1, 2 and 9-11 were previously canceled without prejudice to filing a continuation with respect thereto.

Claims 4, 5, 7, 12, 13, and 20 remain unchanged.

This amendment is set forth to comply with the Examiner's requirements to place the application in condition for allowance. In particular, the objected to claims have been placed in independent form, the rejected independent claims have been canceled, and the remaining dependent claims have been amended to depend from the new independent claims. This amendment thus complies with the requirements of 37 C.F.R. §1.116. Entry of the amendment, reconsideration of the application and issuance of a Notice of Allowability and a Notice of Allowance are respectfully requested.

Rejections Under §112

The Examiner noted that Claims 8 and 21 lacked antecedent basis for the term "said inner tube". Claims 8 and 21 have been amended to depend from Claims

7 and 20, respectively, which provide antecedent basis for the term "said inner tube".

Withdrawal of this objection to the claims is now requested.

Objected To Claims

The Examiner noted that Claims 15, 16 and 18 were objected to as depending from a rejected base claim, but would be allowable if placed in independent form, including all the limitations of the base claim and any intervening claims. Claims 15, 16 and 18 each depended directly from independent Claim 14, and have been amended to include the limitations of Claim 14. Thus, in accordance with the Examiner's comments, Claims 15, 16 and 18 are now in condition for allowance.

Claim 14 has been canceled, and Claims 3-5 have been amended to depend from Claim 16; Claims 6-8 and 12-13 have been amended to depend from Claim 15; and Claims 17 and 19-21 have been amended to depend from Claim 18. Hence, dependent claims 3-8, 12-13 and 19-21 are all now also in condition for allowance.

Rejections Under §§102 and 103

The Examiner has continued his rejections based on the patents to Froesch, Clark and Torenó, all of which concern chairs rather than playground equipment. For the reasons set forth in the Amendment filed January 11, 2007, which are incorporated herein by reference, Applicant disagrees with the Examiner's assertion that these three patents anticipate or make obvious the claimed invention. However, in an effort to move the application forward, Applicant has canceled independent Claims

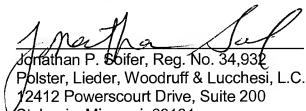
14 and 22. As just noted, all the remaining dependent claims depend from allowable Claims 15, 16 or 18. Hence, the rejections under §102 and §103 are moot. Withdrawal of the rejections under §102 and §103 is respectfully requested.

Conclusion

Applicant has complied with the Examiner's requirements as noted above. The §112 rejections have been corrected; the objected to Claims 15, 16 and 18 have been placed in independent form as suggested by the Examiner; the dependent claims have all been amended to depend from the now allowable Claims 15, 16 and 18; and the previously independent Claims 14 and 22 have been canceled without prejudice to filing a continuation with respect thereto. This amendment does not add any new issues or any new matter to the application. Hence, the amendment complies with the requirements of 37 C.F.R. §1.116 and Applicant requests that the Examiner enter the amendment, reconsider the application and issue of a notice of allowance and a notice of allowability.

Respectfully Submitted,

Dated: 5/11/07


Jonathan P. Soifer, Reg. No. 34,932
Polster, Lieder, Woodruff & Lucchesi, L.C.
12412 Powerscourt Drive, Suite 200
St. Louis, Missouri 63131
Tel: (314) 238-2400
Fax: (314) 238-2401